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Agenda item 3

PRINCIPLES ON GENERAL RIGHTS AND OBLIGATIONS

Proposal submitted by the United States of America

1. The United States submits the following proposal, which draws on the proposals made at the third session of the Preparatory Committee by various Governments and reflects extensive discussions with interested non-governmental organizations. It contains 17 principles corresponding to the 17 categories of principles contained in document A/CONF.151/PC/WG.III/L.8/Rev.1.

2. The United States believes this should be incorporated as a prologue to Agenda 21.

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DECLARATION ON ENVIRONMENT AND DEVELOPMENT

Preamble

The United Nations Conference on Environment and Development,

Having met at Rio de Janeiro from 1 to 12 June 1992;

Conscious that the Earth is a dynamic but fragile whole, in which all ecosystems are interdependent;

Recognizing the scale, depth and pace of human-induced changes to the environment, and determined to increase human understanding of those changes and the capacity for anticipating, responding and adapting to them;

Also recognizing the mutual interdependence of all States and people and the need for communities to live together in balance with the environment to ensure sustainable development for all and the continuity and quality of life now and for future generations;

Affirms, in light of those understandings, the following sustainable development principles to guide future action:

Principles

Principle 1

Environmental protection and economic and social development ultimately cannot be achieved at the expense of each other. Environment and development goals should be pursued simultaneously, in an integrated fashion.

Principle 2

States and people share a common goal to promote environmentally sound, sustainable development for all. They should seek to attain this goal by individual and collective action, contributing in accordance with their respective responsibilities and capacities and with special regard for the needs of economically disadvantaged countries and people.

Principle 3

Respect for human rights is fundamental to sustainable development, in particular the rights to:

Associate with others and freely express views;

Publish and distribute information;

Participate in public debates;

Have fair and effective access to legal and administrative redress and remedy of grievances.

Principle 4

All people should share in the benefits of a clean environment and responsible economic and social development, including the sustainable management of natural resources, and recognize the need to preserve those benefits for future generations.

Principle 5

States have the sovereign right to exploit their own natural resources and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 6

States should adopt precautionary and preventive approaches when planning and undertaking activities, in order to anticipate, prevent and attack the causes of environmental degradation. Lack of full scientific certainty should not be a reason in itself for postponing effective measures to prevent environmental degradation.

Principle 7

All people should cooperate in good faith and in a spirit of global partnership at the local, national, regional and international levels to achieve sustainable development. In cases of environmental emergency, States should provide each other with timely notification and assistance.

Principle 8

States should consider the special situation and needs of developing countries in achieving sustainable development and provide appropriate assistance.

Principle 9

Environment and development objectives and policies should be integrated with economic and trade policies, including through appropriate harmonization of the international regimes for international trade and environmental protection.

Principle 10

A commitment to peace and security for all States and people is fundamental to the achievement of sustainable development.

Principle 11

States and people should seek to eliminate or reduce unsustainable patterns of production and consumption.

Principle 12

Sustainable development is dependent on a world public that is educated, literate and well-informed. Individuals, groups and organizations should have access to information relevant to environment and development, held by national authorities, including information on products and activities which have or are likely to have a significant impact on the environment, information on hazardous materials and activities in their communities, information on environmental monitoring and information on environmental protection measures undertaken.

Principle 13

Open and free markets at the national, regional and international levels are fundamental to the achievement of sustainable development. Markets should reflect full economic accounting of environmental costs and benefits and market forces and mechanisms, and other economic instruments should be harnessed to achieve sustainable development goals.

Principle 14

Polluters should bear the costs of carrying out pollution prevention and control measures introduced by public authorities. These costs should be reflected in the cost of goods and services that cause pollution in production and/or consumption to encourage rational use of scarce environmental resources and to avoid distortion in international trade and investment. Markets should reflect full economic accounting of environmental costs and benefits.

Principle 15

Democratic laws, institutions and procedures are essential to the achievement of sustainable development. States should establish open and democratic forms of decision-making affecting economic and social development and environmental protection, and facilitate the broad participation of individuals, groups and organizations in that decision-making. Individuals, groups and organizations with a cognizable legal interest should have access to judicial and administrative procedures for redress and remedy of wrongful actions affecting environment and development.

Principle 16

In addition to its corrosive effects on social and economic well-being and development, poverty is a major contributor to environmental degradation. All States and all people should make the elimination of poverty an essential task of their efforts to achieve sustainable development.

Principle 17

The achievement of sustainable development requires technological and financial assistance to developing countries, and those States with adequate means should take steps to provide such assistance as may be appropriate.